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NOMINATIONS—NATIONAL TRANSPORTATION SAFETY BOARD

HEARING

BEFORE THE

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION UNITED STATES SENATE

NINETY-EIGHTH CONGRESS

SECOND SESSION

ON

NOMINATIONS OF

JAMES E. BURNETT, JR., TO BE CHAIRMAN; AND PATRICIA ANN GOLDMAN, TO BE A MEMBER, NATIONAL TRANSPORTATION SAFETY BOARD

MAY 14, 1984

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NOMINATIONS—NATIONAL TRANSPORTATION SAFETY BOARD

MONDAY, MAY 14, 1984

U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
Washington, D.C.

The committee met, pursuant to notice, at 9:34 a.m., in room SR-253, Russell Senate Office Building, Hon. Nancy Kassebaum, presiding.

Staff members assigned to this hearing: Chuck Doyle, staff counsel, and Marguerite Ayers, professional staff member; and Steve Palmer, minority staff counsel.

OPENING STATEMENT BY SENATOR KASSEBAUM

Senator KASSEBAUM. The hearing will come to order.

It is a pleasure to welcome you both this morning for, perhaps a review as well and observations for reappointment to NTSB of James E. Burnett to be Chairman, and Patricia Goldman to be a member of the National Transportation Safety Board.

It has been a pleasure for me to work with both of you, and my admiration for the really outstanding work of the Board through some very challenging times.

I have a statement of Senator David Pryor, for the record. I would be happy to hear any comments you might have.

STATEMENT OF JAMES E. BURNETT, JR.

Mr. BURNETT. Thank you, Madam Chairman.

It has been gratifying to work with the National Transportation Safety Board over the last 2 years. I think all of us who have sought service in the Government do so because we want to accomplish something, and we want to make a difference. I think the work that the National Transportation Safety Board has done in the last 2 years has made a difference for the American people we serve.

I am proud to have contributed to that, but I have certainly had a lot of support from our very able, exceedingly able Vice Chairman, Patricia Goldman, who has tutored me a lot in the ways of Washington, from Frank McAdams who led me through my accident investigation experience, from, of course, the other members that I have served with, Pat Bursley, Don Engen, and Vernon Grose, all of whom have provided excellent support in the work that we are doing, and excellent contribution to the deliberations

of the Board. We have also had a lot of productivity from our very able NTSB staff.

It is always a team effort at the Board, and one that I think, because of the very important lifesaving matters with which we deal, transcends partisanship, and transcends the bureaucratic rivalries that sometimes dominate in Government.

We have accomplished some new initiatives at the National Transportation Safety Board of which we are quite proud. We have instituted a Bureau of Safety Programs which is going to carry forth our advocacy responsibility as far as getting the recommendations that we make adopted. That activity has been very useful.

I and the other Board members have contributed to this through extensive and very demanding speechmaking schedules, interviews with the press, the writing of articles, and those things that have extended the influence of the Board past our traditional exchange of green sheets with the modal agencies.

We have also initiated and staffed, finally, a comprehensive human performance investigative effort which for the first time enables us to give the kind of attention to the human performance issues and their importance in national transportation safety demands. We have, as part of that endeavor, focused a lot of attention on the problems of alcohol abuse in all the modes of transportation. But we are going beyond that to look at other human engineering and behavioral issues. I think the work that is going to be done by this new division will be very effective and important in improving transportation safety in the future.

These are some of the efforts. There are many others that I could discuss at great length. I just want to say again that I am very proud of them and proud of the cooperation that we have had from the other agencies of Government, and the support that we have had from the Congress of the United States in accomplishing what we have.

Thank you.

[The statements and biographical sketch follow:]

STATEMENT OF JAMES E. BURNETT, JR.

Madam Chairman, I am pleased and honored to have the opportunity to appear once again before this Committee on the subject of my nomination as Chairman of the National Transportation Safety Board. My service the past two years in that capacity has been an enriching and productive experience. Part of that enrichment has been the opportunity to serve with my distinguished and able colleague, Patricia Goldman, who has worked diligently to enhance transportation safety. Since you will be hearing from Ms. Goldman next, I won't discuss her activities, but I do want to commend her for her professional and unique contributions to the Board.

As you may recall, at the time of my last confirmation hearing the Safety Board had undergone a 22 percent reduction-in-force, thus necessitating drastic cuts in—and in some cases elimination of—Board activities. Through management initiatives and Congressional support, we have been able to restructure and rebuild to the point where we now have viable investigative activities in all modes once again. By changing accident investigation criteria to focus on those issues which can result in the most lives saved; by identifying safety objectives and goals on which to concentrate our efforts, we have been able to produce the greatest safety benefits despite limited resources.

As Chairman of the Safety Board the past two years I have operated under the philosophy that the greatest accomplishment the Board can achieve is to affect real-world safety improvements in transportation. Obviously, making recommendations for improvements is not enough—we have take our case to the public in order to create an awareness of the importance of safety issues.

To accomplish this, I have attempted to keep before the public the most crucial safety issues in each mode of transportation by means of legislative testimony, speeches, articles, press conferences and news interviews. As evidence of the priority on which I place the goal of getting the Board's message across, I would refer the Members of this Committee to the information I submitted beforehand regarding my speaking schedule which includes numerous appearances on behalf of Safety Board initiatives. Where in the past the Board's recommendation follow-up process consisted solely of an exchange of correspondence, we have expanded our efforts to include an active program of advocacy designed to achieve reform.

A mainstay of this advocacy program is recognition of the significance of the use of alcohol in relation to highway transportation safety. In no other mode is alcohol use a more significant factor in fatalities—estimated to be as high as 50 percent. And highway isn't the only mode in which alcohol is a problem—it's significant in rail accidents as well, along with recreational boating and general aviation.

I am very proud of the Board's participation in many successful efforts to persuade state legislatures to raise the drinking age to 21. Statistics indicate that the 18–21 year age group is involved in a disproportionate number of alcohol-related accidents, and raising the drinking age could save up to 1250 lives each year. I intend to continue to work vigorously for additional initiatives to reduce alcohol-related accidents.

Another safety issue I have emphasized during my term as Chairman is that of aviation survivability factors—including crashworthiness and cabin safety. With regard to crashworthiness, the Board's investigative efforts have succeeded in convincing the FAA to reexamine its philosophy on crash survivability. In addition, the Board held a two-day public meeting which drew together experts on the subject from both the public and private sector to compare problems and solutions.

On the subject of cabin safety, the Board has worked very closely with the Congress to push the FAA to upgrade standards in may areas. In fact, some of the Board's recommendations to the FAA have been incorporated in bills introduced in both the Senate and House. We will continue our efforts in these areas.

In these times of economic stress in the airline industry, many have looked to the Safety Board for assurance that economic deregulation of the airlines has not resulted in derogation of aviation safety. In terms of statistics, there has been no decline in aviation safety since the passage of the Airline Deregulation Act of 1978—in fact, the accident rates for small as well as large airlines have improved significantly between 1978 and 1983.

The Board cannot conclude, however, that aviation safety is not being compromised. In fact, there have been some very unsettling incidents in the past year which have caused the Board concern over the adequacy of FAA surveillance over the industry. Well-publicized incidents of a near-ditching and fuel exhaustion point to the need for greater vigilance at a time when new entrants are rapidly joining the system and established carriers are expanding, thus increasing competition which results in cost-cutting measures.

The potential for disaster became a reality last October when an Air Illinois Hawker-Siddeley crashed in a farm field near the town of Pinckneyville killing all ten persons on board. At the Board's public hearing on the accident, which I chaired, we uncovered a laundry list of maintenance and operational procedures which were not carried out "by the book." Subsequently, Air Illinois surrendered its operating certificate, citing inability to meet FAA standards.

Under the strong guidance of Secretary Dole, the FAA has intensified its surveillance activities and increased its inspection force. The Board welcomes this emphasis as an essential element of enforcement of the existing safety regulations.

The Safety Board, by statute as well as inclination of origin, has always focused the majority of its efforts in the aviation mode. I have no desire to alter this emphasis, and yet I have attempted, with some success, to expand our programs in the other modes. Obviously, resources have limited these efforts but, by utilizing investigative techniques gained from our aviation experience and adding key positions to our field staff, we have been able to enhance our capabilities very effectively in the other modes. The limited staff that we have added has been trained to implement our new accident investigation criteria, selecting investigations which promise the greatest safety payoff.

Despite all the effort the Board expends on accident prevention through investigations, studies and recommendation followup, there has always been one category of accident causation which the Board has been able to address only in a limited fashion—human performance. This factor is involved in almost every accident we investigate, and ever since I became a Member I have been concerned with the Board's lack of capability to delve further into human performance. Therefore, I am pleased

to report the creation of a Human Performance Division within the Board, staffed by fully qualified and capable people who will analyze human performance in all transportation modes. This is a significant addition to the Board's capabilities and will contribute to our understanding of accident causation immeasurably.

Before concluded my remarks, Madam Chairman, I want to emphasize that our recent accomplishments and enhanced capabilities are due in large measure to the support the Board enjoys from this and other Congressional Committees. There is, in addition, another significant factor, and that is the staff. Without the expertise and capabilities of our personnel—without the caring and dedication of the staff to seek and accomplish safety reforms—no Board policy, no matter how well-conceived, could effectively be implemented. I think we can all share in the Board's successes with pride.

Madam Chairman, I am grateful to President Reagan for his continued confidence in me, and I respectfully request that this Committee approve my nomination.

I will be pleased to respond to questions.

BIOGRAPHICAL SKETCH OF JAMES EUGENE BURNETT, JR.

Address: Permanent Residence and Mailing: 108 Thomas Street, Post Office Box 147, Clinton, Arkansas 72031.

Temporary Washington Address and Mailing: National Transportation Safety Board, 800 Independence Avenue, SW., Washington, D.C. 20594.

Date and Place of Birth: September 20, 1947, Little Rock, Arkansas.

Marital Status: Single.

Names and ages of children: None.

Education: Juris Doctor, University of Arkansas Law School, Fayetteville, Arkansas, 1973; Bachelor of Arts with major in Political Science, University of Arkansas, Fayetteville, Arkansas, 1970; and Graduate, Clinton High School, Clinton, Arkansas, 1965.

Employment Record: Self-employed as Attorney at Law, 1973–December 1981.

Government experience: Vice Chairman/Acting Chairman, National Transportation Safety Board (NTSB), 4/16/84–present; Chairman, NTSB, 03/82–3/84; Vice Chairman, NTSB, 1/82–3/82; Member, NTSB, 12/81–1/82; Special Associate Justice of Supreme Court of Arkansas, 2/81; City Judge, Damascus, Arkansas, 1979/1981; Municipal Judge for Clinton, Arkansas, and Van Buren County, 1975/1979; Rule 71A Commissioner, United States District Court, Eastern District of Arkansas, 1974–1978; Juvenile Judge, Van Buren County, Arkansas, 1973–1981; and Congressional Intern for Congressman John Paul Hammerschmidt, summers 1967–1969.

Memberships: Phi Beta Kappa, Fayetteville, Arkansas, Honor; Pi Sigma Alpha, University of Arkansas, Fayetteville, Arkansas, Honor; Blue Key, University of Arkansas, Fayetteville, Arkansas, Honor; American Bar Association, Little Rock, Arkansas, Professional; Arkansas Bar Association, Little Rock, Arkansas, Professional; Arkansas Farm Bureau, Clinton, Arkansas, Professional; Aero Club of Washington, Washington, D.C., Professional; Capitol Hill Club, Washington, D.C., Private; E. H. Harriman Memorial Awards Institute, Washington, D.C., Safety, Selection Committee; Arkansas State Society, Washington, D.C., Civic; and Kentucky Society, Washington, D.C., Civic.

Political affiliations and activities: General Counsel, Arkansas Republic State Committee, 1979–1981; Legal Counsel, Frank White for Governor Campaign, 1980; Delegate, 1980 Republican National Convention and Member of the Committee on Rules and Order of Business; Parliamentarian, Arkansas Republican State Convention, 1980; Member, Arkansas Republican Campaign Steering Committee, 1980; and Delegate, Arkansas Republican State Conventions, 1974, 1980; Member of Rules Committee, 1980.

CONTRIBUTIONS

Republican Party of Arkansas, dues, $20.00, 1983.
Van Buren County Republican Committee, $15.00, 1981.
Frank White for Governor, $350.00, 1980.
Arkansas Republican State Committee, $17.50, 1980.
Johnson County Republican Committee, $7.50, 1980.
Republican National Committee, $50.00, 1980.
Faulkner County Republican Committee, $25.00, 1980.
White County Republican Committee, $20.00, 1979.
Republican Party of Arkansas, $25.00, 1979.
Arkansas Republican State Committee, $50.00, 1978.

Van Buren County Republican Committee, $25.00, 1978.
College Republicans of Arkansas, $5.00, 1975.
Honors and awards.—Phi Beta Kappa, Pi Sigma Alpha and Blue Key.

STATEMENT OF HON. DAVID PRYOR, U.S. SENATOR FROM ARKANSAS

Madam Chairman, I wish to express to the Committee my support for the nomination of Jim Burnett as Chairman of the National Transportation Safety Board.

Two and one-half years ago, I had the pleasure of joining with my distinguished colleague in the Arkansas Delegation, Congressman John Paul Hammerschmidt, in presenting Jim Burnett to this Committee.

Today, he comes before the Committee not only as and experienced public official and a familiar witness before Congressional hearings, but also as a respected leader in the field of transportation safety.

All of us from Arkansas are proud of Jim Burnett's record as a federal official. We have watched with special pride his handling of crisis after crisis and listened to the praise he has earned for his agency's careful, objective analysis of transport accidents and dangers.

In 1981, I told the Committee Jim Burnett could handle this challenge. I'm glad he has proven me correct, and I'm proud to urge the Committee to give favorable consideration to his nomination today.

Senator KASSEBAUM. Thank you.

Your nomination, of course, is to serve as Chairman of the Board for a second term.

Ms. Goldman, yours is as a second term as a member of the NTSB. I know that your work has involved many of the major accidents that have occurred which you have covered in the last 3 years. I would welcome any observations that you might have on your work, looking back on past experience for the future.

STATEMENT OF PATRICIA ANN GOLDMAN

Ms. GOLDMAN. Thank you, Senator Kassebaum. I will try as best I can with the limited voice that I have this morning. Perhaps the committee will find it as pleasurable that I have lost it as my husband has over the weekend.

I would concur with many of the points that the chairman has made about the team work effort that is essential for the work of the National Transportation Safety Board. I have found that work over the almost 5 years to be rewarding, challenging, and certainly always of great interest.

I have a short statement for the record, which I will supplement. I think several things have occurred to me which point up the work that we do, and you mentioned several of them.

The chairman mentioned that one of our things has been, over the last number of years, to really take an advocacy position with respect to the recommendations that we have made. I think that that is very important, once the recommendations are made, do not let them sit on the table, but to go out and try to persuade as many people as possible to adopt the things that we have been talking about.

In the aviation area, you mentioned two of the accidents in which I was involved. They have raised the issue, particularly the DC-10 accident in Boston, of runway friction. At a recent conference of the Northeast Chapter of Airport Executives, it was interesting for me to see the change that has evolved over the last couple of years, as I have been paying attention to that, and being at those meetings, we have moved the dialogue from whether there

ought to be runway friction measurement and whether we ought to be doing certain things about bad weather operations, to a case of how we do it.

While there is still a great deal of work to be done, it also shows that by working together the various private groups. as well as the Government, can foster these things by that kind of persuasive effort.

The chairman has already spoken extensively about the alcohol issue. At the recent Lifesavers Conference in Florida, the issue of child restraints, passenger restraints in general, and alcohol, has shown the tremendous evolution that has been made. It is a positive one. We still have a long way to go.

The drunk driving issue is being symbolized this week—in Transportation Week—by the Secretary. I think that it is evidence of the kind of work that the Board has helped to foster, and we look forward to helping in the future.

If I may, I will submit my statement and try to respond to your questions.

[The statement and biographical sketch follow:]

STATEMENT OF PATRICIA A. GOLDMAN

I am very pleased to be here today for the hearings on my renomination to the National Transportation Safety Board. The work at the Safety Board is the most interesting, challenging and rewarding working experience I have ever had.

As I prepared for these hearings, it occurred to me that two recent meetings I attended well illustrate both the advances in transportation safety, to which the Board has been a catalyst, as well as the considerable work the Board has yet to do.

The first meeting to which I refer was the 18th Annual Snow Symposium sponsored by the Northeast Chapter of Airport Executives. It seeks to promote safer airport operations in winter weather. I first addressed the Conference a year ago to discuss the Board hearings I chaired on Runway Contamination. The Board had decided to hold those hearings to discuss problems identified in the Air Florida and World DC 10 accidents.

At the meeting a year ago, I discussed the Board recommendations on runway friction. My suggestions that the conferees should begin trying to make friction measurements in inclement weather was greeted with considerable disagreement and skepticism.

But, despite the skepticism, the dialogue continued. One major airport experimented with friction measurement under FAA sponsorship this winter and NASA, and the FAA, continued joint experiments with assistance from the Board.

When I addressed the Snow Symposium this year I was delighted to find that the dialogue had evolved. Rather than discussing whether airports should be attempting runway friction testing, the discussion focused on how it should be done.

The Lifesavers Conference last week concentrated on methods to reduce the terrible toll in deaths and injuries brought about by drunk driving and people's failure to use occupant restraints. There is lots to be done, but I was struck by the enormous progress that is being made. When in December of 1982, the Safety Board adopted a recommendation that all states adopt child safety seats—only nineteen states had such laws. Now forty-six have them and the reduction in infant deaths is showing up in those states.

Likewise, under the chairman's leadership, the Board has been active in promoting drunk driving countermeasures. As a result, twenty-eight states have raised their minimum drinking ages.

There is so much to do in all the modes to advance safety. Yet I think the two conferences I mention illustrate the way the Board has to continue using our accident investigation experience to promote our recommendations with private groups who must be responsible for carrying out the necessary reforms.

I look forward to working with this Committee over the next five years on the work of the National Transportation Safety Board.

BIOGRAPHICAL SKETCH OF PATRICIA ANN GOLDMAN

Address: 5022 V Street, NW., Washington, D.C. 20007.
Date and Place of Birth: 3/22/42; Newton, New Jersey.
Marital Status: Married, Charles Ellsworth Goodell.
Names and ages of children: Stepchildren: William Rice Goodell, 28; Timothy Bartlett Goodell, 27; Roger Stokoe Goodell, 25; Michael Charles Ellsworth Goodell, 23; Jeffrey Harris Goodell, 21.
Education: Goucher College, B.A., Economics, 1964.

EMPLOYMENT RECORD

7/79-Present: Member/Vice Chairman, National Transportation Safety Board, Washington, D.C. 20594.
4/72-3/79: Executive Director, The House Wednesday Group, U.S. House of Representatives, Washington, D.C.
2/72-4/72: Freelance Writer, National Journal, 1730 M Street, NW., Washington, D.C.
1/71-2/72: Legislative Counsel, National League of Cities and U.S. Conference of Mayors, Washington, D.C.
1/67-1/71: Director, Manpower and Poverty Programs, U.S. Chamber of Commerce, Washington, D.C.
9/66-12/66: Research Consultant, U.S. Chamber of Commerce, Washington, D.C.
3/65-9/66: Legislative Assistant, Ad Hoc Subcommittee on the War of Poverty, Education & Labor Committee, U.S. House of Representatives, Washington, D.C.
9/64-3/65: Research Assistant, Joint Economic Committee of Congress, Washington, D.C.
Government Experience: My government experience includes all noted in Item 7 (Employment Record) except for the National Journal and the U.S. Chamber of Commerce.
Memberships: Currently a member of the Women's Transportation Seminar, National Child Passenger Safety Association, National Women's Forum, and the Goucher Alumnae Association. Formerly a member of the National Women's Education Fund, Treasurer; Advisory Board of the National Women's Political Caucus; Republican Women's Task Force, Chair; Governing Board of the Ripon Society, Chairperson.
Political Affiliations and Activities: Past Treasurer, National Women's Education Fund. Past member of the Advisory Board of the National Women's Political Caucus; and Past Chair, Republican Women's Task Force of the National Women's Political Caucus.
Honors and Awards: Women's Transportation Seminar, Women of the Year Award for 1982; Fellow, Kennedy Institute of Politics, Harvard University (Fall 1978); Visiting Professor, Woodrow Wilson National Fellowship Program; Wall St. Journal Student Achievement Award, Goucher College; Hoschild Economics Award, Goucher College.

PUBLISHED WRITING

"Independence—Keystone of a Tiny Agency," To be published in the 1985-86 edition of Perspectives magazine, Close Up Foundation.
"A Summary of the National Transportation Safety Board's Child Passenger Safety Study." To be published in the Society of Automotive Engineers, Inc. 1984 Symposium's meeting program.
Speech given at the International Bar Association meeting in October 1983 to be published in the Air Law magazine March 1984 issue.
Short article for the Goucher Quarterly magazine (Editor to title it).

Senator KASSEBAUM. Thank you very much.

In the past, and I know that this has come up in other hearings, there has been some criticism of the working relationship between NTSB and the FAA. Do you feel that this is improving? What other steps might you see to help foster this working relationship?

I guess I will ask the chairman to help to save your voice, Ms. Goldman.

Mr. BURNETT. I first would say that it is a matter of concern. Generally, I think that our working relationship is painted in the

press to be much worse than it is. If we make a recommendation to the FAA, it is usually "NTSB Blasts FAA," and that sort of thing, which makes us look as if we are at loggerheads all the time. In fact, in the great majority of our recommendations, we agree. We make substantial progress even in some of those areas where we disagree. There are significant areas of exception, however.

I think, yes, it is improving. We now have an FAA Administrator who understands how the Board works which, without casting any reflection on any of the previous Administrators, none of them has ever had the opportunity to understand as in depth as the present one does, the working philosophy of the NTSB, and why we do things as we do, or to have the staff level contacts that are present.

So I think that is already bearing fruit for us in a better working relationship. I think that it would be a mistake to expect that change in personnel to resolve all of the problems between the NTSB and the FAA. It would not be in the public interest for us to adopt the same perspective, an as long as we maintain a different perspective, which is very important, there are going to be some disagreements.

I think that we are working in a constructive manner to improve relationships, and at the same time we are determined to maintain an arm's-length relationship with the FAA so that we will be free to speak forthrightly about their performance to the American people.

Senator KASSEBAUM. Many times, of course, just by the nature of the Board's work, you tend to be reacting more to an accident or a chain of events. You both touched on efforts to be more active in advocacy of change.

I wonder if you are contemplating—you mentioned this new division, and I would like to follow up on that—doing any work on general maintenance plans, or controls of the airlines. Is this something you would anticipate in advocacy work for change, rather than just making a recommendation after an accident has occurred?

Mr. BURNETT. We do on occasion do special investigations, or special studies and that, of course, has taken us into the area of air-traffic control. We have been very deeply involved over the past 2 years in that issue, even though we have had no major accident that has involved direct air-traffic-control situation or the strike-related situation of the air-traffic-control system.

Unfortunately, we are not staffed sufficiently to allow us to spend a great of time away from our accident-investigation duties on other issues. Our advocacy role primarily is going to have to be limited to the carrying forward of the recommendations that we have made as a result of accident investigations, or some special study.

Senator KASSEBAUM. You believe at this point that you are doing this in an effective way?

Mr. BURNETT. We are doing it with the very limited resources which the Government of the United States is able to give for accident investigation and investigation of the safety programs, and we are doing an excellent job. We are, always have been, and probably always will be under severe restraints as far as resource are concerned.

Senator KASSEBAUM. How large a staff do you have at NTSB?

Mr. BURNETT. We are authorized at 347, and we have not been able to build back up to that. I think we are probably in the neighborhood of about 340 right now. It changes daily.

Senator KASSEBAUM. What do you mean, you haven't been able to build back up to that?

Mr. BURNETT. Basically, we are very careful about the kind of people we hire. We are deliberate in our hiring procedures and, of course, we lose some along the way. It is very surprising, when you decide that you have 347 positions, that it is hard to get there from a lower figure.

Senator KASSEBAUM. How does this compare in numbers to 6 years ago?

Mr. BURNETT. At one time, it was probably about 500, more recently than that, at peak we were up to 401 staff members. Then we went down 27 percent shortly after I became a member of the Board to 293. The Congress has given us resources to move back up from that, and we are doing so deliberately, being very careful whom we employ.

Senator KASSEBAUM. Ms. Goldman, do you have any comments to make as far as the numbers of staff, and if you believe that this is sufficient from your observations of the Board past and present?

Ms. GOLDMAN. The numbers are there that the chairman spoke of. I believe that when I first came on the Board there were 385. We have gone up and down.

One of the things, I might point out, is that we are not in the grantsmanship kind of thing, it can be sometimes one of the sad things and somewhat disruptive, particularly when we are recruiting in the human-factors area that the chairman spoke of. I know that he has been working very hard to try to get the kind of staff that would be helpful. I hope that we will be able to keep a stable staff to work on some of these new initiatives that we have.

Senator KASSEBAUM. You have been more involved in the mass-transportation side, perhaps, to a certain extent. What is the Board engaged in at this point relating to mass-transit-safety issues?

Ms. GOLDMAN. There are a variety of things. Some of the things that have been of concern to me, and I know to the rest of the Board, is our concern that there isn't enough safety oversight of mass transit.

Obviously, the New York City Transit system has had a variety of problems. About 2 weeks ago, we held some hearings in New York City, which my colleague, Patrick Bursley, who is here, chaired, on the problems that they have had. They are undergoing a great deal of capital construction up there, and we had uncovered, through a series of accidents, some concerns which we felt had to be brought to their attention.

For the first time, I am happy to say, as I understand—we run different schedules, so I have not had a chance to be briefed on those hearings yet—we have UMTA on record. They have refused to participate in the past. We held hearings 2 years ago, and at that time we couldn't get them to even testify as to their policies. I am very pleased to learn that they did testify this time.

I hope that with the Secretary's specified interest in safety that they will play a more assertive or aggressive role on the safety

oversight, considering the large amount of funds that is expended in mass transit, I hope that they will take a greater oversight role, and we are certainly pressing for that.

Senator KASSEBAUM. Thank you both very much for coming. I really think that your work speaks for itself. We assure you that this will be a speedy confirmation process, with your names being sent forward as quickly as possible.

Ms. GOLDMAN. Thank you, and we look forward to working with you in the next term.

Mr. BURNETT. Thank you, Madam Chairman, our thanks to the committee.

Senator KASSEBAUM. This concludes the hearing.

[Whereupon, at 9:49 a.m., the committee adjourned.]

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